

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Yury KALNITSKY
Application No. : 10/760,137 Filed : January 16, 2004
Title : NETWORK ARCHITECTURE FOR DATA TRANSMISSION
Examiner : Chirag R. PATEL
Art Unit : 2141 Confirmation No. : 7187

Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

**DECLARATION OF SUZANNE GRAZIANO
IN SUPPORT OF REQUEST TO WITHDRAW HOLDING OF ABANDONMENT**

SIR:

I, Suzanne Graziano, declare as follows:

1. From June 14, 2007 to date, I have been employed by the law firm of Frommer Lawrence & Haug LLP ("Frommer Lawrence") as legal assistant to attorney Frank J. DeRosa and other attorneys.
2. From January 3, 2005 to June 13, 2007 I was employed by the law firm of Thelen Reid Brown Raysman & Steiner LLP ("Thelen Reid") (and by a predecessor firm, Brown Raysman Millstein Felder & Steiner LLP), and from mid April 2006 until June 13, 2007, I have worked as legal assistant to Mr. DeRosa and other attorneys. I moved with Mr. DeRosa to Frommer Lawrence from Thelen Reid on June 14, 2007.
3. Mr. DeRosa and I coordinated with Thelen Reid to change the customer number for the above identified application and other applications and patents from that of Thelen Reid to that of Frommer Lawrence. Responsibility for these applications and patents was transferred from Thelen Reid to Mr. DeRosa at Frommer Lawrence.
4. Attached as Request Exhibit A is a copy of a letter dated August 28, 2007 from Thelen Reid to Mail Stop EBC, Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450, enclosing a CD containing an Excel spreadsheet of patents and applications for which the customer number was to be changed to associate Frommer Lawrence's address as a new correspondence address for the identified patents and applications, including the above identified application. I received Request Exhibits A and B by copy of an email dated August 29, 2007 addressed to Mr. DeRosa

5. Attached as Request Exhibit B is a print-out of the Excel spreadsheet referred to in the previous paragraph. The above-identified application appears on page 2, line 42 of the printout.

6. Upon information and belief, the USPTO received the August 28, 2007 letter (Request Exhibit) and the CD with the spreadsheet (Request Exhibit B) because I have personal knowledge that the correspondence address was changed for almost all of the listed patents and applications.

7. The current correspondence address for the above-identified application is not that of Frommer Lawrence, and apparently was not changed from Thelen Reid to Frommer Lawrence. Attached as Request Exhibit C is a printout from public PAIR of the "Address & Attorney/Agent" tab for the above-identified application, which currently shows the following: "Thelen Reid Brown Raysman & Steiner LLP, P.O. Box 640640, San Jose CA 95164-0640." No attorneys or agent are listed under "Attorney/Agent Information."

8. Mr. DeRosa and I had recently noticed that the change of the customer number requested by Request Exhibits A and B had not been entirely successful because the correspondence address for a few applications was not changed to Frommer Lawrence, and Mr. DeRosa was not listed as an attorney of record for many applications where the correspondence address was changed to Frommer Lawrence.

9. Mr. DeRosa requested that I view status in public and private PAIR of patent applications listed in Request Exhibit B to determine whether the correspondence address had been changed per Request Exhibits A and B.

10. Mr. DeRosa also requested that I prepare new powers of attorney and Statements under 37 C.F.R. § 3.73(b) for each application transferred from Thelen Reid to Frommer Lawrence where either or both the correspondence address or the attorneys of record were not correct.

11. I e-filed the first of the new powers on March 27, 2008.

12. During my review, on April 10, 2008, I discovered that a Notice of Allowance had been mailed in the above-identified application on December 13, 2007, that the Issue fee had not been paid, and that the application was abandoned. I informed Mr. DeRosa of the Notice of Allowance and of the abandonment on April 10, 2008. The address on the Notice Allowance is: Thelen Reid Brown Raysman & Steiner LLP, P.O. Box 1510, New York, NY 10150-1510 (not the same as the current correspondence address).


13. I searched the file jacket for the above-identified application and did not find the Notice of Allowance.

14. Mail addressed to Mr. DeRosa is delivered to an in box at my work station. If the Notice of Allowance had been forwarded to Mr. DeRosa by Thelen Reid, it should have been delivered to that in-box. I do not remember seeing, and do not believe I saw, the Notice of Allowance before April 10, 2008.

15. I was not aware of the Notice of Abandonment mailed by the USPTO on April 7, 2008 prior to downloading it from PAIR.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

4/16/08
Date


Suzanne Graziano

THELEN REID BROWN
RAYSMAN STEINER LLP

NEW YORK SAN FRANCISCO WASHINGTON, DC LOS ANGELES
SILICON VALLEY HARTFORD NORTHERN NEW JERSEY SHANGHAI

David B. Ritchie
408.282.1856 Direct Dial
dritchie@thelenreid.com

August 28, 2007

BY US EXPRESS MAIL

Mail Stop EBC
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: Customer Number 20999 Data Upload

Dear Sir or Madam::

Attached to this cover letter is a CD containing an Excel spreadsheet of patents and patent applications to be removed from customer number 29858 and associated with customer number 20999.

Please contact the undersigned attorney of record by telephone if additional information is needed.

Thank you for your cooperation.

Respectfully submitted,



David B. Ritchie, Esq.
Attorney of Record
USPTO Registration No. 31,562

Enclosure

FJD

Request Exhibit A

	A	B	C	D
1	Customer Number: 20999			
2				
3	Frommer Lawrence and Haug LLP			
4	745 Fifth Avenue			
5	New York New York 10151			
6	Telephone: 212-588-0800			
7	Facsimile: 212-588-0500			
8				
9				
10				
11				
12				
13	Patent Number	Application Number	Associate Correspondence Address	Associate Maintenance Fee Address
14		29174696	Yes	Yes
15		10882096	Yes	Yes
16		60484168	Yes	Yes
17		11142908	Yes	Yes
18		10928649	Yes	Yes
19		10611517	Yes	Yes
20		11048661	Yes	Yes
21	6919678	10300648	Yes	Yes
22		10611652	Yes	Yes
23	D508245	29208850	Yes	Yes
24		11351426	Yes	Yes
25	7046234	10301117	Yes	Yes
26	D516070	29204911	Yes	Yes
27	D492308	29171114	Yes	Yes
28		11085762	Yes	Yes
29	D492684	29171697	Yes	Yes
30		60627856	Yes	Yes
31		10831965	Yes	Yes
32		60510605	Yes	Yes
33		11263622	Yes	Yes
34		60622527	Yes	Yes
35		11250829	Yes	Yes
36		60618386	Yes	Yes
37	5717430	08690025	Yes	Yes
38		60576935	Yes	Yes
39		11087775	Yes	Yes

	A	B	C	D
40		10963462	Yes	Yes
41		29188427	Yes	Yes
42		10760137	Yes	Yes
43		10991965	Yes	Yes
44		60520905	Yes	Yes
45		10651361	Yes	Yes
46		29188428	Yes	Yes
47	D535992	29208915	Yes	Yes
48	D500037	29166842	Yes	Yes
49		60540857	Yes	Yes
50		09562506	Yes	Yes
51	D486483	29154401	Yes	Yes
52		10045586	Yes	Yes
53	5990858	08707433	Yes	Yes
54		10290017	Yes	Yes
55		60348161	Yes	Yes
56		10218375	Yes	Yes
57	D497364	29171670	Yes	Yes
58		09839529	Yes	Yes
59		60358472	Yes	Yes
60		09412408	Yes	Yes
61		09584045	Yes	Yes
62		60152017	Yes	Yes
63		09476935	Yes	Yes
64		09760196	Yes	Yes
65		09943442	Yes	Yes
66		60229173	Yes	Yes
67		60312195	Yes	Yes
68		10643663	Yes	Yes
69	D507570	29209177	Yes	Yes
70	D496937	29190262	Yes	Yes
71	D496938	29190493	Yes	Yes
72	D496936	29190258	Yes	Yes
73		10300698	Yes	Yes
74	D496362	29166843	Yes	Yes
75	D507270	29209197	Yes	Yes
76	D486484	29154402	Yes	Yes
77	D496363	29166844	Yes	Yes
78		10081132	Yes	Yes
79		60404789	Yes	Yes
80		60400617	Yes	Yes

	A	B	C	D
81		10603207	Yes	Yes
82		60392061	Yes	Yes
83		10395839	Yes	Yes
84		60366910	Yes	Yes
85	D497167	29190494	Yes	Yes
86		60822589	Yes	Yes
87		11697940	Yes	Yes
88		11274821	Yes	Yes
89		11347146	Yes	Yes
90	D501208	29204588	Yes	Yes
91		29276203	Yes	Yes
92		11696864	Yes	Yes
93		11157380	Yes	Yes
94		60627855	Yes	Yes
95		60790347	Yes	Yes
96		29279652	Yes	Yes
97		11249846	Yes	Yes
98		11744932	Yes	Yes
99		11412315	Yes	Yes
100		07919502	Yes	Yes
101		11530286	Yes	Yes
102	5367148	07699904	Yes	Yes
103		08697796	Yes	Yes
104	5548110	08225731	Yes	Yes
105	6062481	08689927	Yes	Yes
106	D 411225	29697957	Yes	Yes
107	5283422	07927798	Yes	Yes
108	5675137	08303512	Yes	Yes
109	D 421041	29083114	Yes	Yes
110	6514140	09335100	Yes	Yes
111		10325702	Yes	Yes
112		60342256	Yes	Yes
113		11463751	Yes	Yes
114		60707375	Yes	Yes
115		09451207	Yes	Yes
116		10728427	Yes	Yes
117	D467264	29116365	Yes	Yes
118	5283422	90005308	Yes	Yes
119	7124947	10321020	Yes	Yes
120		10971850	Yes	Yes
121	5088093	07109075	Yes	Yes

	A	B	C	D
122	4814589	06853745	Yes	Yes
123	5889270	08833378	Yes	Yes
124		60287339	Yes	Yes
125		10136845	Yes	Yes
126		11199843	Yes	Yes
127	6577201	10023954	Yes	Yes
128		60256009	Yes	Yes
129	6753737	10390557	Yes	Yes
130	7106143	11096318	Yes	Yes
131	5160901	07581672	Yes	Yes
132	5107226	07648149	Yes	Yes
133	4748367	06801485	Yes	Yes
134	4701661	06738697	Yes	Yes
135	5309116	07970701	Yes	Yes
136		60558665	Yes	Yes
137		10868676	Yes	Yes
138		11108355	Yes	Yes
139		10913140	Yes	Yes
140		60653653	Yes	Yes
141		10892520	Yes	Yes
142		10963205	Yes	Yes
143		11356739	Yes	Yes
144	6840904	09975097	Yes	Yes
145		60487471	Yes	Yes
146		60562876	Yes	Yes
147		60493904	Yes	Yes
148		11394523	Yes	Yes
149		60914651	Yes	Yes
150		60943458	Yes	Yes
151		10186541	Yes	Yes
152		11241470	Yes	Yes
153		10956721	Yes	Yes
154		11323980	Yes	Yes
155		11112696	Yes	Yes
156		11532093	Yes	Yes
157		10187631	Yes	Yes
158		11347144	Yes	Yes
159		10044568	Yes	Yes
160		11324134	Yes	Yes
161		60912926	Yes	Yes
162		11027780	Yes	Yes

	A	B	C	D
163		11056786	Yes	Yes
164		60567309	Yes	Yes
165		60864163	Yes	Yes
166		60533137	Yes	Yes
167		11120652	Yes	Yes
168		10448485	Yes	Yes
169	6048031	09239350	Yes	Yes
170		11681279	Yes	Yes
171		10840588	Yes	Yes
172		10946444	Yes	Yes
173		10995734	Yes	Yes



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10/760,137

NETWORK ARCHITECTURE FOR DATA TRANSMISSION

Select New Case	Application Data	Transaction History	Image File Wrapper	Patent Term Adjustments	Continuity Data	Published Documents	Address & Attorney/Agent
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Correspondence Address

Name: THELEN REID BROWN RAYSMAN & STEINER LLP
Address: PO BOX 640640
SAN JOSE CA 95164-0640
Customer Number: -

Attorney/Agent Information

No Attorney/Agent Data Found.

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Request Exhibit C